

ARGUMENT FAVORING THE ANNEXATION OF HAWAII.

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Mr. FRYE presented the following

ARGUMENT, WRITTEN BY THE LATE JOHN DEAN CATON, EX-CHIEF JUSTICE OF THE STATE OF ILLINOIS, FAVORING THE ANNEXATION OF HAWAII.

The following argument was written by the late John Dean Caton, ex-chief justice of the State of Illinois, for the information of the late W. Q. Gresham when he was Secretary of State, and has recently been found among his papers:

THE ANNEXATION OF HAWAII IS DESIRABLE AND SHOULD BE DONE.

[By JOHN DEAN CATON, ex-chief justice of Illinois.]

My attention has been called to a very able article in the May number of the Forum, written by that eminent jurist, Judge Cooley, entitled "Grave obstacles to Hawaiian annexation," in which he groups together the most cogent reasons I have heard presented against the annexation of the Hawaiian Islands to the United States, a subject which is at this time very properly engrossing the attention of the American people. As a jurist he will readily appreciate not only the propriety but the necessity that both sides of this controverted question should be presented, in order to enable him whose duty it is to form an opinion on the subject to do so wisely and justly, that is to say, so as to promote the best interests of our country and of mankind, both for the present and the future. Hence I venture to make some suggestions which lead me to different conclusions from those arrived at by the eminent jurist. To me it appears proper to consider the matter under separate heads.

First. Does the Constitution of the United States authorize the annexation of Hawaii to this country? This is only denied by the learned judge inferentially. If he argues against it, in the course of that argument it seems to me he proves its existence. If at one time his reasons against the power would have had weight, events since have completely disposed of the objections which he urges. If the framers of the Constitution intended that the territory of the United States should never be extended beyond the limits which it then occupied, they certainly inserted no word in that instrument manifesting such an intention. It may be that those great and wise men did not fully grasp or comprehend the future greatness of the Government the foundations of which they were then laying. Either by accident or

through the direction of a wise Providence, they abstained from inserting words of restriction which would have inhibited the acquisition of other territories over which the ægis of the Constitution might be extended.

If, as was supposed by Jefferson and many others in his day, the absence of express authority implied an inhibition, wisdom and indeed absolute necessity impelled him to act without that express authority which he so much desired, and he made a treaty with France, by which he purchased Louisiana for the United States, whereby an immense tract of land was added to our territory. By that purchase he did not obtain the fee of the soil, as to a large part of it, but the sovereignty only; that is, the right to make laws for its government. That right was acquired in as absolute a condition as it had existed in the sovereignty of France, the grantor. If Jefferson at first thought that it was necessary, or at least prudent, to obtain an amendment to the Constitution sanctioning the act, the consensus of opinion of the inhabitants of the United States was such as to remove his own scruples, and he joined with his fellow-citizens in the construction of the Constitution which held that the purchase had been made in pursuance of authority conferred by that instrument. Here was an instance of contemporaneous construction, perhaps the most potent of any to be found in the history of our jurisprudence, and it so conclusively settled the question that none but the most captious or irreconcilable have ever ventured to doubt it since.

The purchase of Florida soon followed in pursuance of the same authority conferred by the Constitution. In these two instances the allegiance of subjects was transferred from one sovereignty to another without their consent any more than that of the acres of ground composing the territories. And such has been the case in every instance where we have acquired new territory, excepting that of Texas. The act of transfer of allegiance was just as violent as was the title to a slave. As to them the transfer was as forcible as it would have been had the territory been acquired by conquest. This transfer of allegiance is just as liable to be effected by force as by volition. Suppose, unhappily, we should find ourselves at war with Great Britain, and suppose further that we should be so fortunate as to completely overrun and conquer Canada, and in the treaty of peace all that Dominion should be ceded to the United States, our title would be as complete as it is over any other of our dominions, not to the fee of the soil in all cases, but to the sovereignty absolutely; and in the transfer of sovereignty the voice of every inhabitant of the country would be absolutely silent and no one will at this day question the constitutional power of the United States thus to acquire the title; indeed, the same thing did actually occur in our late war with Mexico.

It is not a question whether the moralist will approve of the manner in which that war was brought about. We have only to look at results in the consideration of questions of this kind. In the latter precedent Mexico, for the time being, was a conquered country. Its capital was in possession of our armies, its governing officers were fugitives, and according to the customs of nations in the past we might have governed the country arbitrarily, had we chosen to do so. And while our heavy hand was thus pressing down upon their nominal rulers, we compelled them to cede to us a large portion of their territory, and that, too, without asking the consent of the inhabitants whose allegiance was thus transferred by force and, in most cases, against their will.

Not a line can be found in the Constitution authorizing this proceed-

ing any more than in the other cases mentioned, but the authority merely follows from the necessity of the case and the customs of mankind. Self-preservation, as well as self-interest, compelled the exercise of this power, and the universal appreciation of this necessity prompted a construction of the Constitution which admitted the power to acquire new territory either by purchase or conquest.

Judge Cooley would limit this power to the acquisition of contiguous territory only. Where does he find authority for this limitation? Confessedly not in any language in the Constitution, for the power itself is not found in its language, but he reasons it out from its convenience. The claim is that the power to acquire territory must be limited to contiguous territory capable of being made into States and admitted into the Union, with people homogeneous with our own. The facts correspond with his conditions in one regard only, and that is contiguity of territory, but are entirely inconsistent with his condition as to population. In all the cases already referred to, whether the territory was acquired by purchase or by conquest, the inhabitants were not of our own race, but of other races. With Louisiana we acquired a French population, differing entirely in habits, language, and laws from our own people; and so of Florida and Mexico.

But when we come to the acquisition of Alaska all the conditions required by Judge Cooley for making the acquisition of territory constitutional are entirely wanting. That territory was not and is not now contiguous to ours; it is separated by a wide tract of foreign territory owned and controlled by another sovereignty. It is true that before the boundary line was settled between the United States and British Columbia a great many people of this country set up the cry of "Fifty four-forty or fight," but when the boundary treaty was made this claim was abandoned, and with it all pretense of contiguity of territory ceased. Therefore Judge Cooley's contention that the claim, though abandoned twenty years before we acquired Alaska, satisfied the condition of contiguity seems to me quite untenable. He must consider it now settled that the condition of contiguity is not required by the Constitution of the United States to the acquisition of territory.

If the Constitution allows us to reach out 5 or 6 degrees and acquire territory must we consider this the constitutional limit, or may we not go a little farther? If we may go 6 degrees north point out the provision which inhibits us from going 30 degrees west. We have already acquired Pearl Harbor for a coaling station in the Hawaiian Islands, which is the only harbor on Oahu besides Honolulu. What is the extent of the rights thus acquired—whether the fee of the soil or some measure of sovereignty—I do not know, but certain it is that we have acquired some rights there which a sovereignty may hold, and if we may acquire them, whatever they may be, have we exhausted the acquisitive power permitted by the Constitution? The same fact exists on the island of Samoa and in many other distant countries demanded by our interests. The welfare of our country and its commerce compel the exercise of this power, which is nowhere expressly granted by the Constitution and yet has ever been exercised by the Government.

On this subject the practice of a century or more would seem to have formulated the rule that whatever the welfare of the country imperatively requires it to do, and is not expressly or impliedly forbidden by the Constitution, that the National Government is authorized to do; and most prominent among these things is the acquisition of new territory, whether it be contiguous or not.

One mode of acquiring sovereignty is by discovery, not only by

national explorers, but by private citizens. No well-informed statesman or jurist would dispute our right under the Constitution to acquire sovereignty in this way, no matter in what part of the globe it might be.

I think I have demonstrated that our General Government has the constitutional right to acquire title and sovereignty to territory in any part of the globe, either by purchase, by conquest, or by discovery.

The learned author of the article under review thinks that we can have no colonial possessions, because we have no means of governing them under the Constitution. It seems to me that this position is maintained by a mere quibble about words. When the power of control is measured by the extent of control exercised, our Territories have always been quite as dependent as the colonies of any of the countries of Europe, and we might just as properly call our dependencies colonies as Territories. Ever since the cession, in 1787, by Virginia to the United States, of the country northwest of the Ohio River, which she claimed by conquest alone, which was the first territory acquired by the United States under the present Constitution, all the territory which has been acquired, whether by purchase, gift, conquest, or discovery, has been held and governed by the United States as completely and absolutely as ever have any of the colonies of the other nations been held and governed, by whatever name they have been called.

The only difference is in name and not in substance. Whenever a State has been admitted out of any of these Territories, except in the Virginia cession, it has not been in pursuance of an absolute right, but has been a boon granted. If, in the first instance, provision was made in the act of cession that States should be admitted into the Union out of the territory thus granted, in no instance was the time when, or conditions under which, such admission should be made been fixed. That was left entirely to the discretion of the General Government. At one time 40,000 inhabitants was deemed sufficient for the admission of a State. That number has been gradually increased till at the present time it is about six times that number. Utah has been claiming admission for twenty years, all the time showing sufficient population to entitle her to admission if numbers could give it to her as a right. The truth is, these Territories have no absolute legal right to admission as a State which the Constitution of the United States guarantees to them. It is solely a matter of discretion with the General Government, and has been always so considered and treated.

The only right claimed is a sort of moral, but never a legal, right—a right which the General Government may withhold without any breach of the Constitution. The only question to be considered is one of policy; whatever is deemed best for the interests of the country at large and for the people of the territory, that the General Government is morally bound to do and nothing else.

As a question of constitutional power, then, I think if Judge Cooley were called upon to decide it judicially, he would consider it so plainly within the constitutional power of the United States to acquire the sovereignty of the Hawaiian Islands in any way which was satisfactory to the Government that he would hardly have patience to hear arguments upon it.

Second. I next propose to consider the question whether it is desirable to the people of the United States that that territory should be annexed to our Government. This can not be so conclusively established as the former proposition, but must depend on the judgments of men, and so long as the most able and judicious of men will arrive at different conclusions from the same facts, we can not expect that all

men will agree upon this question one way or the other. The most I can do, therefore, is to suggest the reasons which have led my judgment to the conclusion that it is for the best interests of our nation, and therefore desirable, that such annexation should take place.

Perhaps at the present moment it may make no great difference to us whether we possess the sovereignty over those islands or not, but nations are not for a day only but for all future time, so to speak, although we are well aware that that is but a mode of expression and at most, as we fondly hope in our own case, signifies a very long time.

When we look back and see the changes which have been wrought within the single century of our political existence we are admonished that we must expect vastly greater changes within the next hundred years. Our political independence was accomplished by only 3,000,000 of people, scattered along our Atlantic coast. Since then our population has increased by more than twentyfold and the territory actually occupied has increased by more than a thousandfold. Who at that time anticipated this? Even at the time of the formation of our Constitution, who in that convention thought that they were framing an instrument for the government of the territory which it now covers? It seems as if the hand that penned it was guided by Divine wisdom; the writer wrote so much better than he knew. This should admonish us that those who are acting not only for the present time but for the future, and, as we hope, for the far distant future, should strive to look into that future and wisely anticipate the conditions of things which are likely to arise, and to aid us in doing this we have many more lights for our guidance than had our forefathers.

The advance in the arts and sciences and in almost every department of human progress has been far greater than in any thousand years of previously recorded time; and he whose duty it is to anticipate and provide for the future will act wisely if he takes all these into his account. He may first consider what will be the population, wealth, and strength of this nation in any specified time in the future.

We have ten times more seacoast bordering on the Pacific Ocean than has any other nation, and he may well conclude that this will continue to be the case in the future. The country bordering upon this coast is as capable as any other of producing the elements needed for human sustenance and human happiness, and these capabilities are being rapidly augmented by human industry and human invention; and not less promising is the prospect for increased manufactories, all of which means increased commerce both by export and import.

The history of the past shows that the genius of our people is as well adapted to ocean navigation as to land transportation. If there is a lull at the present time in that branch of human industry, we may well assume that it is but temporary. The sagacious statesman will not fail to discover the cause of this and see that it is but temporary; and as he looks into the future he will see that great ocean covered with our commerce, carried on with the same energy and ambition as is now witnessed upon the land. True wisdom would suggest that this should be anticipated and provided for, and all whom we may admit to be the best qualified to judge of this seem to be unanimous in the opinion that no other spot on the globe is so important as these islands to this future commerce. I ask, feeling confident that no negative answer can be found, what man who is really qualified to judge has ever expressed an opinion not in entire harmony with this assertion?

It will hardly be denied by anyone that those who have made it the study of their lives to comprehend and master any particular subject

appreciate the better that subject in all its bearings by reason of such study. It is the wise policy of our Government to educate a class of our young men to the art of war in all its bearings, both by sea and land. These studies must embrace not only defensive but aggressive war, for all must admit that exigencies may arise when our national interests may require the exercise of both these modes of warfare, and those who are called upon to administer our national affairs would undoubtedly be wanting in their duty should they neglect to provide for both these. The learned jurist, with whose views I feel constrained to disagree, objects to the expression which has hitherto been considered as embodying the highest political wisdom, "In time of peace prepare for war," and would change it to read, "In times of peace prepare against war."

Were I not compelled to conclude that he intended to convey a different meaning by this change of words, I should have assumed that he meant the same thing, but he gives us plainly to understand by the manner in which his phraseology is introduced that he meant something else, and hence we are obliged to inquire what that change of meaning is. If in times of peace we prepare for war, we thereby propose to deter others from making war upon us or from going to war with us, and in that way in times of peace we prepare against war; but he would propose to prepare against war in some other way, and the only other way I can think of is *not* to prepare for war in time of peace, so in order to do this we must disarm ourselves and proclaim to the world that we will on no account fight to defend our rights, but will appeal to their sense of justice alone to induce them to let us alone. When the millennium shall come—when all men shall divest themselves of selfishness and only seek to promote the happiness and well being of all other men—then will the world be prepared for this exalted state of human happiness and human society.

Now, I was born and brought up in a society of Christians who held to this doctrine of universal peace. The Friends believed that the reign of universal peace and good will among men had already arrived, when by turning the other cheek the right could triumph, or, if it did not at the instant, a blessing would follow the pain and that a higher power would intervene and protect the right. But in the country district school, where most of the boys had not been taught this sublime theory of peace, I found that I had to turn the other cheek more frequently than was agreeable to me, and I was constrained, as I thought, to strike out for myself, and with more satisfactory results.

And should we, as a nation, adopt the peace policy suggested, I think it would not be very long before our people would deem it wise to go back to the old policy, "In time of peace prepare for war." So long as we live in this wicked world and constitute a part of a family of nations who are more selfish in the aggregate than in their individual capacities we can not afford to abandon the policy of selfishness, by which all the other members are actuated, by leading the way in the peace policy to the extent of reducing ourselves to imbecility. I am happy to say that I think I see evidence that there is more disposition among nations to the adoption of this peace policy in later years than ever before, and I would do everything to promote it which I could short of impotency, which at this time would but invite aggression; but this I would not do, but in time of peace would prepare for war, which I think is the best means for insuring peace.

If the acquisition of these islands will tend to promote our security by the protection of our commerce upon the Pacific Ocean, then it is

for our interest as a nation that we should have them under our control, and I think few who have studied the subject will deny that.

These islands are nearer to our territory than to that of any other nation; the next nearest land to the islands is Tahiti; which was practically wrested from another people about as far advanced in civilization as are the descendants of the original inhabitants of the Hawaiian Islands. France took possession of these islands practically by force of arms and not by the gift or voluntary offer of the inhabitants, but simply because she had the power and wanted them. She wanted them simply because she thought it would promote her selfish interests. She had no contiguous possessions, she coveted the islands not for their products, but as a means of protecting her commerce in that ocean. And so have the other nations of Europe been in the constant habit of seizing upon the islands in that great ocean—always by force and never by the invitation or even by the consent of their inhabitants. All have deemed it wise policy to possess themselves of such islands, the moving justification to which has been commercial protection and commercial necessity.

There are but few good harbors on the islands of Hawaii; two on the island of Oahu—Honolulu and Pearl Harbor—and one on the island of Hawaii, the harbor of Hilo. These alone invite commerce. The most important and valuable of these is the first named. It is approached by a long and tortuous channel, yet its approach is easy under the direction of a competent pilot. The harbor itself is land locked. It is large enough to accommodate a great commerce, and is said by competent engineers to be absolutely defensible. Just back of the town, which is situated directly upon the harbor, is the crater of an extinct volcano called "Punch Bowl," which rises 500 feet above the bay and town. It is so precipitous in front that it is ascended by the pedestrian with great difficulty, but it may be approached at its rear by the equestrian. It may be easily made entirely defensible in the rear as well as in the front, so say the military engineers. The crater itself has been filled up in the course of time, so that it is now sunk not many feet below the rim by which it is surrounded. Even the layman can not look upon this place without readily appreciating that the engineer declares the truth when he says the place is absolutely defensible. It commands not only the harbor and its approach, but the ocean beyond as far as shot can be thrown.

Diamond Head, too, which is at the western extremity of the channel between Oahu and Molokai, which is the next island to the windward, is a commanding point scarcely less defensible and commands the channel between the two islands and the sea far to the westward.

By reason of its rocky shoals, this capital island can not be approached with anything but the lightest vessels, and this is true of all the islands of the group, with a few rare exceptions. It would be hard to find another place on the globe of any importance so difficult to approach by sea and so defensible. For a national possession the value of this group of islands can not be exaggerated; but the islands are not only desirable in a commercial point of view, but as a pleasure resort and as a sanitarium they are inviting. They are probably the healthiest part of earth now inhabited. When discovered by Cook, in 1778, the old inhabitants claimed that no person ever died of disease on the islands, but only from old age or violence. There were at that time no pests known there, and even now there are no snakes, toads, or frogs found there. No mosquitos, lice, gnats, or fleas, or any pests of that kind were ever known upon the islands till they were imported.

I took some pains to gather up the vital statistics in the islands when I was there in 1888, so far as the white people were concerned, and published the results in the *Examiner*, a medical journal in Chicago, of June, 1889, and the result was so startling that my veracity was questioned until the truth of my statements was absolutely verified by documentary evidence. For instance, the death of a white child in Honolulu during the seven years previous to 1888 represented over four hundred years of juvenile life in the Sunday school of the Fort Street Church, and the death of an adult in the same church during the same time represented over one hundred years of adult life.* The first white child born in the islands was in 1820, and the records of all the missionary families in the islands up to 1852 showed that over 86 per cent of those born between those dates were still living, and many of those who had died had died in foreign countries or by accident.

The inquiry will at once arise, how, if that is such a healthy country, the native population dwindled from 400,000 to 45,000 within a single century? The explanation is manifest. For untold generations the most feeble lived and propagated their species as well as the strong, and when the whites came and brought with them the diseases of civilization, both reputable and disreputable, the natives lacked the stamina to resist them; whereas the whites who had come from the temperate zone, where constant fluctuations of climate render it the most unhealthy in the world, to say nothing of its multifarious diseases, which have through ages swept off the feeble and left only the most hardy and robust to propagate the species, and their offspring inherited a capacity to resist disease, and when such constitutions went to a climate so healthy the effect was manifest in a longer lease of life.

The inquiry may be made, if these facts be so, why has this not already become the great sanitarium of the world, especially for people of the United States, who are so near by? The answer is obvious. It is because of the character of the Government; there are not accommodations there to invite visitors. With a stable government capital would flow in at once and abundant accommodations would be built up, not only for invalids, but for pleasure seekers also, and great numbers of temporary visitors would seek those shores; but beyond this, capital would seek those islands for business enterprises, and in an incredibly short time they would become rich and prosperous, and it would not be long before the population would exceed in number the natives who occupied the islands when they were first discovered.

Judge Cooley assumes that all the whites now upon the islands are foreigners, and have obtruded themselves unbidden upon the natives. This is an unjust assumption.

A very large proportion of the whites now in the islands are natives, and may as well claim the right of nativity as the descendants of the original population, and the present immigrants, who have become legally naturalized and so qualified to hold office, are entitled to the same rights and privileges as are our own naturalized citizens. Mr. Thurston, the present representative of that Government, now here, was born in the islands, as was his father before him, and the only objection

* In his septennial sermon Dr. Frear stated that but six deaths had occurred among the attendants of his Sunday school during the last seven years, and one of these was by drowning, and the records of the school showed that the average attendance had been three hundred. As each scholar represented a year of juvenile life annually, by multiplying the three hundred by seven it becomes plain that the school for seven years represented two thousand one hundred years of juvenile life. Divide this by the five deaths from disease, we see that there had been but one death for every four hundred years of juvenile life during that time.

that can be urged against his citizenship there is his white lineage and that he is a man of learning, ability, and integrity and is seeking to promote the welfare and the happiness of all his countrymen. And the same may be said of the present chief justice of the islands, who is a son of the eminent missionary, Dr. Judd. He, with a large family of brothers and sisters, was born upon the islands and received his education in this country in our most eminent institutions, both academic and legal, and is justly entitled to the appellation of an eminent jurist, as will be seen by anyone familiar with the reports of the supreme court of that Kingdom.

Are these gentlemen, and many other white natives of the islands scarcely less distinguished, to be treated and considered as interloping foreigners who have intruded themselves upon the islands and have now overturned their Government and are seeking to give it away, to the injury of its inhabitants?

I will vindicate the fairness of Judge Cooley's intention by the assertion that if he understood the facts he would not attempt to brand these men as intrusive foreigners. If he would place the naturalized citizens of that country on a lower plane of right than the native born, we may infer that he would do the same with our naturalized citizens here.

All the Hawaiian Islands are of volcanic origin, and it is plainly seen that the first which emerged from the water is the island of Kauai, which was the first discovered by Cook and is the most northwesterly or leeward of the group, and the emergence was thence successively to the windward, and the last to emerge was Hawaii, which is the largest; indeed, it contains more area than all the others put together. They consist almost entirely of lava, and contain but very little tufa; the soil is necessarily, therefore, decomposed lava. The decomposition of lava is a very slow process and is not now complete, even in the oldest island. Decomposed lava constitutes the strongest soil to be met with and has the appearance and consistency of stiff clay, and when worked properly becomes friable and readily yields to the influence of human industry, and the amount of vegetation which springs from it is almost incredible. The produce of tropical and subtropical vegetation is of great variety and quantity.

The products of the islands are not confined to sugar alone, by any means; but a great variety of fruits, grasses, and cereals grow with equal luxuriance. Bananas and pineapples, particularly, are grown and exported, and both the soil and the climate are especially adapted to the growth of the orange. Oranges are not grown and cultivated to any considerable extent, but grow wild in the ravines and uncultivated places, and yet are of the best quality. The natives gather them from these wild trees and bring them into the towns when found growing near by. At Hilo I often obtained them in this way at the rate of 25 cents for 2 dozen, and found them very sweet and delicious; indeed, they would compare favorably with the best quality of cultivated oranges I have met in other countries.

Kalo or taro grows there in the highest perfection, and it is claimed and admitted that an acre of taro or kalo will produce more sustenance to man than an acre of any other vegetable known. But to enumerate all the products of the soil which these islands are capable of producing would fill a book of itself, so I will mention but one other product, which we should add to those we already possess, and that is coffee, for the growth of which both the soil and climate are remarkably adapted. The Kona coffee, which is the name by which the Hawaiian coffee is

known, is of a better quality than any which finds its way into our markets, and is only surpassed by that which is produced on one of the Dutch East India Islands, and is known as Minneba and said to be translucent. This never finds its way into the markets, but is all taken up by the wealthy burgomasters in Holland.

I ask whether it would not be advantageous to this country by establishing a stable government, to open the doors of such promise to American enterprise for the admission of our people, to go in and by their enterprise and industry to utilize for the benefit of themselves in particular and mankind in general all these great possibilities? It has long been the boast of our country that we can raise on our own soil a greater variety of products required for human sustenance and human comfort than almost any other country in the world. If this be an element of advantage to the nation, then it would be advantageous to add to this.

If the learned jurist who thinks that to annex those islands to our country and thus acquire control of them would be burdensome rather than helpful to us, would go and see for himself and thus be enabled to comprehend the subject in all its bearings, I think he would appreciate the advantage of such an acquisition, and would not fear the burden. No human genius is capable of forming correct conclusions upon subjects of which he is in fact ignorant, or of which, at best, he has but very partial information. He would not attempt to do this in relation to any question arising in connection with his own profession, of which he is so able and so brilliant a member. If we would all bow down before him in reverence when he expresses his opinion upon a question of law, of which his knowledge is so profound, it does not necessarily follow that we should have the same regard for his opinions on subjects of which he is not so well informed.

For myself, when I contemplate the future of our country, and consider it in connection with the present and the past, I can not hesitate to say that it is a matter of the highest importance to our well-being in the time to come that we accept the proffered gift of these islands and receive them under our governmental jurisdiction. Is there another nation in the world which would hesitate to accept such an offer? Yet there is not another nation to whom this acquisition would be of a tenth part the value that it would be to the United States. If such be the judgment of all other nations, may we not learn a lesson from them? Shall we assume that we know it all, and that they have been acting under a delusion in pursuing a policy under which they have grown to such greatness and prosperity?

It has been said that our form of government is not adapted to expansion, and will not permit us to grow to greatness. If when we acquired Louisiana many able and sagacious men feared this, and for that reason opposed the acquisition, subsequent results have demonstrated their error and have shown that the same conditions which have made other nations great and prosperous are making this nation great and prosperous also, and in a vastly augmented ratio as compared with other nations.

If any would question the means by which our acquisitions have been obtained, we may proudly answer, that with one exception, the means have been less questionable, even according to the standard of morality as it exists between man and man, than have been observed by other nations. All have been obtained by voluntary purchase without any pressure or constraint, as voluntarily as obtains between man and man when they make bargains, save one, that of Mexico.

Let us look over this acquired territory and consider the inhabitants before the acquisitions and look at them now, and compare their present conditions with what they would be but for the changes of government. We are certainly justified in the conclusion that had they remained under their old conditions of government, they would have continued under the old physical conditions which had prevailed for so many years without much progress. It is sufficient simply to allude to the subject to enable every intelligent and enlightened mind of this or any other country to appreciate what benefits have been conferred upon mankind in general, to say nothing of our own country. I, for one, believe that these great results have been brought about under the guidance of Divine Providence, whose we all are, and whose undoubted right it is so to use us all as to advance His own glory and to promote the best interests of His creatures, both temporal and spiritual, which is at least one great object of His supreme government.

If I am right in my conclusions that it is for the interests of the United States that the Hawaiian Islands be added to our territory and thus brought under the governmental control of our Constitution, I next propose to consider whether this may be done justly and honorably on our part.

I think I have already shown that those islands may be annexed under the authority conferred by the Constitution of the United States. I have also attempted to show that the welfare of the United States would be promoted by such acquisition, as well as of the inhabitants of the islands. And now I will, in conclusion, attempt to show that this may be done consistently with the usage of nations, and therefore consistently with the law of nations, and so honorably and justly.

All the great nations of Europe have attained their present greatness largely by the acquisition of new territory. With very rare exceptions, this new territory has been acquired by force—by violence. For examples of this we may confine ourselves to modern times—that is, since what are termed the dark ages, when violence and war were the rule which absorbed the thoughts and ambition of the ablest of mankind. Since the dark pall which shrouded the most enlightened and capable countries of the world for so many years was lifted, and a brighter light shone in upon them, the rights of nations and of individuals have received some recognition. If the horrors of war have been ameliorated, they have not been abolished. If force and violence have been less justified among individuals because it was possible to restrain them by government, they have not been done away with among nations.

Among the great peoples of the world abroad the thoughts and preparations for war are now cherished on a greater scale than ever before. These preparations contemplate the taking of something from one nation by another by violence, and not by right or purchase or any other peaceful mode. One government thinks that a particular acquisition is necessary for, or would promote, its own interests without regard to the interests of another, and this it will do without considering the question of abstract right or wrong, but simply the question of desirability and its power to take. As a flagrant example of this, I may simply refer to the case of Prussia and Denmark, where the conquest and annexation were not confined to savage peoples, but where the conquered were as enlightened and civilized as the conquerors; and I may also refer to the partition of Poland. Do not understand me as approving of these instances of violent transfer of sovereignty without provocation in modern times, for I do not approve of them.

The despoiled were as highly civilized as the despoilers, so there was not the excuse that the territory wrested from the rightful and long-recognized owners was taken from savage people for the advantage of civilization. Nor was it done with the consent of the peoples of the countries thus violently seized; nor was it done in the prosecution of a war just or unjust; but for the mere purpose of conquest and territorial aggrandizement. I offer these instances, occurring in the nineteenth century, to emphasize the fact that the world does not look to its nations for the benevolence and scrupulous conscientiousness exacted from individuals. If the moral sense of mankind has discredited the maxim that "the end justifies the means," among individuals, it would seem that that maxim still obtains among nations, even the most civilized.

If it be claimed that we have erected a higher standard of national morality than prevails in other countries and that hence we are not burdened with great standing armies, I may suggest that it is not our higher moral standard that exempts us from this necessity, but other causes, principal among which may be cited our isolated position. If it be supposed that we are more peaceably inclined than other nations, because of a less martial spirit among the people, late events have certainly contradicted this conclusion, and it is from the reverse of this that we may suppose that we need not, like other nations, continue every day in immediate preparation for war. If we are not as well prepared to repel immediate invasion we ourselves believe that we could prepare for war on a large scale in so short a time that the loss would be comparatively small and not equivalent to the cost of maintaining a standing army, ever ready to repel the most formidable invader.

It is obvious that the instances of violent spoliation which I have mentioned present a broad contrast with the case we are considering. The point I am seeking to establish, that morality or ethics existing among nations in their bearing toward each other or their respect or the rights of each is different from that which prevails among individuals, is as well illustrated in our own history as in that of any other country. By what rights do we claim to own the soil or the sovereignty which we occupy as a nation? Stripped of all casuistry, we acquired our only title from the aborigines by force and violence or by fraud, and so are we still acquiring title to more soil here, the right to govern which we assert because we are strong enough to maintain that assertion. He who would deny this only asserts his ignorance of the history of our country. I do not refer to this to condemn—on the contrary, I justify it—but only on the ground of necessity.

We were compelled to do this in order to build up a great nation, and we are still compelled to do it in order to strengthen and expand that nation. The interests of mankind in general, and of our own people in particular, required this. By this means a few savages, who were doing nothing to advance the interests of mankind in general and very little for themselves in particular, were displaced to make room for fifty times their number, who, by the exercise of civilized habits, could contribute to the welfare of the human race, and so the better advance the honor and glory of Him whose tenants we all are, and who has an undoubted right to dispose of us as to Him shall seem best in His own good time. Let those of our people who would come and criticise our motives and actions as a nation turn their attention to the mode in which we have acquired what we already have before they object to the mode in which it is proposed to acquire this extension of our dominion.

To be consistent they must insist that we shall return to those from

whom we have wrested all we have thus acquired, while they object to our further acquisition of that which is equally necessary to our national welfare, at least relatively, which is the point which I have previously considered. If this acquisition is not desirable that should end the discussion, without considering the mode of acquisition.

The American missionaries arrived in those islands in 1820 and exerted themselves with great success in the enlightenment and civilization of the natives, and, principally under their influence, a constitution was formed in 1840, and they were admitted as an independent kingdom into the family of nations. By this constitution foreigners were invited to come in and become naturalized citizens, on which invitation many white immigrants, mostly from the United States, arrived there, were naturalized, and took part in the government of the country in harmony with the native whites and colored inhabitants. Upon the death of Lunalilo the first royal line became extinct.

The constitution provided that the reigning monarch might appoint his successor, but if he omitted to do so then the new king should be elected by joint ballot of the Legislature, and under this provision of the constitution Kalakaua was elected king. Before his death he appointed his sister, Mrs. Dominis, whose husband was an American of that name, as his successor, and she was crowned under the title of Liliuokalani. She soon showed a disposition to set aside the restraints of the constitution and to govern by her own arbitrary will, and was about to proclaim a constitution which would deprive the whites of a right to participate in the government, but would place it entirely in the hands of the colored natives. Upon the discovery of this plot, which if carried into execution would have wrought the ruin of the whites in the islands, as a measure of self-preservation they formed a provisional government, dethroned the queen, and have since carried on the government of the islands in a peaceable and satisfactory manner.

This government *de facto*—a government whose acts, so far as the public or third persons are concerned, are as obligatory as are the acts of a government *de jure*, and was recognized by all foreign nations having their representatives on the islands—offered the islands to the United States for annexation, and the question now is, primarily, Is it for the interests of the United States to accept the proffered gift? and secondarily, Would it be for the interests of the inhabitants of those islands that we should take them under our government and protection? I have already attempted to show that the interests of the United States would be promoted by such annexation, and I think every capable man who will calmly contemplate the condition of affairs in those islands as they would exist in case we should repel their advances, and especially if the present Government should be overthrown and anarchy be allowed to prevail, and then contemplate the state of things as they would exist in case they were annexed to this country, he could not hesitate to say which state of things would be the most desirable—which would best promote the prosperity of the islands and the happiness of the people resident there.

The whites born in the islands are as much native there as the descendants of those who lived there a hundred years ago, and the only difference which we should recognize among them all is not a difference of color or of lineage, but of capacity and worth. Drive the whites out of the islands, both native born and immigrants, and place the Government in the hands of the natives alone, and contemplate the picture. All civilization would shudder at the thought. Were

such a state of things brought about, those who are responsible for it would not be happy, nor would mankind hold them in grateful remembrance. They could hardly expect to receive from posterity a legacy of blessings.

I, for one, feel a measure of pride that the first vote I ever cast was for General Jackson, and that I have ever since acted with the Democratic party, and that I contributed my little mite to the election as President of the United States of Grover Cleveland, whose fond admirer I have ever been since he became known as a public man. I proudly retrace the history of the Democratic party, and remember with satisfaction its record in connection with the acquisition of new territory.

It was under Democratic auspices that we acquired Louisiana, Florida, Texas, New Mexico, Arizona, Utah, and California—indeed, all our acquisitions have been under Democratic Administrations, except Alaska. Are all our traditions to be thrown away in the face of the prosperity which has flowed from our acquisitions in the past and which has come to us by pursuing our cherished policy? Is it true that we have suddenly become a milk-and-water party, as some have asserted, or do we still retain some of the old Jackson spirit, of which his contemporaries felt so proud? Since when has this radical change been made in the principles and policy of the party founded by Jefferson, who first gave practical illustration of its workings and which have ever since been adhered to with unswerving fidelity to the greatest glory and advantage to the country? And what event has wrought this change indicating so great a weakness in the energies of the party? For myself, I will not admit that. No; I do not believe it. I do not fear what answer will come either from the old Democrat or the young Democracy. As much as I love my party, I love my country more, and while I have a voice to raise I will raise that voice for what I believe to be the best interests of this nation.

Do not understand me as claiming for my party all the benefits which have flowed from the acquisitions which have been made under its auspices. We may justly admit that the opportunities for those acquisitions, with one exception, when the Democratic party was in power were accidental, and that their political opponents gave those great measures hearty support. Yet it is certain that the party in power had the wisdom and patriotism to embrace the opportunities, and thus merit the meed of praise to which all those who have rendered great services to their country are justly entitled, to whatever political party they may have belonged. So it is in fact that neither party may justly claim the exclusive credit of these great acquisitions, but let us divide the merit to all our countrymen, of whatever party, who helped to secure them. If the opportunities happened to arrive when the destinies of the Government were in our hands, we may have the satisfaction of saying that we did not spurn and trample them under foot, but wisely embraced them, and as Americans we may say, in this we were cordially supported by the great body of our political opponents.

If, unhappily, the present opportunity should be thrown away and the present offer rejected, and some other nation should feel bound in the cause of human prosperity to step in and take the prize which is now laid at our feet, the time is not far distant when all our people will appreciate that these islands are absolutely necessary for a safe and stable commerce on the Pacific Ocean, and when that time comes we shall acquire and hold them at whatever cost of blood and treasure

necessary to accomplish that end. What then will be the future estimate of widows and orphans who will then be prostrated in grief and sorrow of the memories of those who have compelled their sacrifice by their present action?

But I repeat that I do not believe that this will ever come to pass—that such is the intention of those on whom the responsibility of present action is imposed. I earnestly hope that they do not really intend to let the present opportunity pass by unimproved, but that their course hitherto merely means that they think it would look better in the eyes of the world to proceed with more deliberation to the accomplishment of the same great end. I would not urge this as a party measure, but as an American measure, which will benefit all the people alike. It is too important for national interests to be bandied about as a party enterprise when it so vitally affects the whole people, every one of whom I would hope to see supporting it so soon as they understand it in all its bearings.

Let me recapitulate for a moment:

I have shown, I think conclusively, first, that it is within the constitutional power of the Government to annex these islands; second, that the best interests of the United States and of Hawaii require that they should be annexed; and, third, that it may be done consistently with the strictest rule of national ethics, as practiced and maintained by all the civilized nations of the world.

JOHN DEAN CATON.



